

## CRIMINAL DOCKET - U.S. District Court

PETTY OFFENSE PO ☐ JUDGE/MAGISTRATE: Assigned U.S. vs. EVANS, Bobby Joe  
 OTHER MINOR OFFENSE MO ☐ 8509  
 OTHER MISDEMEANOR Mis ☐ 1085 4  
 FELONY Fel ☒ District Office 7-20-76

(LAST, FIRST, MIDDLE)

Case Filed  
 Mo. Day  
 05 25  
 No. of Defs  
 \* 1

76-CR-65 - 1

Yr. Docket No. Def.

U.S. MAG.  
CASE NO.

U.S. TITLE/SECTION

OFFENSES CHARGED

ORIGINAL COUNTS

18:922(i)

Transportation of stolen firearms  
 (\$5,000 and/or 5 yrs. each ct.)  
*cts 3 thru 9 dismissed 6-22-76*

1 thru  
9

BAIL • RELEASE

☐ AMT ☐ Fugitive  
☐ Denied ☐ Set ☐ Pers. Recog.

5-25  
 \$ 10 000  
☐ PSA  
☐ conditions

☐ Date ☐ 10% Deposit

☒ Surety Bond /C

☐ Bail Not Made ☐ Collateral

☐ Status Changed (See Docket) ☐ 3rd Prty Cust ☐ Other

## II. KEY DATES &amp; INTERVALS

ARREST or

INDICTMENT ☒

ARRAIGNMENT

TRIAL

SENTENCE

U.S. Custody Began

High Risk Date

Information ☐

6-3-76

Trial Set For  
7-19-76Voir Dire ☐Disposition  
of Charges

7-20-76

Summons Served

Indict. Waived ☐1st Plea  
6-3-76

☒ NG ☐ G ☐ NOL  
☐ W/Drawn

Trial Began ☐☒ Convicted☒ On All Charges

First Appearance

In Charging  
DistrictSuperseding  
☐ Indict/Info ☐Final Plea  
6-22-76

☐ NG ☒ G ☐ NOL

Trial Ended ☐☐ Acquitted☐ On Lesser \*  
Offense(s)☐ Dismissed:☐ WOP: ☐ WP☐ On Govern'ts Motion

## MAGISTRATE

Search Warrant	Issued	DATE	INITIAL/NO.	INITIAL APPEARANCE DATE	INITIAL/NO.	OUTCOME:
Summons	Issued			PRELIMINARY EXAMINATION OR REMOVAL HEARING		<input type="checkbox"/> DISMISSED
Arrest Warrant Issued	Served			Date Scheduled		<input type="checkbox"/> HELD FOR GJ OR OTHER PROCEEDING IN THIS DISTRICT
COMPLAINT				Date Held		<input type="checkbox"/> HELD FOR GJ OR OTHER PROCEEDING IN DISTRICT BELOW:
OFFENSE (In Complaint)				WAIVED <input type="checkbox"/> NOT WAIVED <input type="checkbox"/>	Tape Number	
				INTERVENING INDICTMENT <input type="checkbox"/>		

U.S. Attorney or Asst.

## ATTORNEYS

Defense: ☒ CJA, ☐ Ret; ☐ Waived, ☐ Self, ☐ None / Other, ☐ PD, ☐ CD

Ben F. Baker  
 Kenneth Snoke

Kenneth L. Stainer  
 Mayo Building  
 Tulsa, OK 74103

Pro Se (77-C-431-B)  
 #23103-175  
 P. O. Box 1000  
 Leavenworth, KS 66048

\* Show last names and suffix numbers of other defendants on same indictment/information:

DATE	(DOCUMENT NO.)	PROCEEDINGS	EXCLUDABLE DELAY (a) (b) (c) (d)
5-25-76		Record Vote of Grand Jury, filed in open Ct. rm	
5-25-76		Indictment, filed in open Ct. Bond set in amt. of \$10,000 C/S. (AEB-J)rm	2 5-25-76 M
5-26-76		Warrant of arrest issued. rm	
6-3-		Petition for WHCP, filed. b	
6-3		Order Granting WHCP, filed. (AEB-J)b	
6-3		Writ issued. b	
6-3-		MO: Case set for arraignment & plea on 6-3-76, at 4:30 P.M. (AEB-J)b	
6-3		Case called for arraignment & plea. Deft. present & represented. Govt. represented. Deft. acknow. receipt of indict., is advised of charge & is arraigned. Deft. enters plea of NOT GUILTY to Cts. 1 thru 9. Case set for trial on 7-19-76, at 9:30 A.M. Deft. given 10 days to file motions & Govt. given 5 days to respond. Deft. remanded to USM. (AEB-J)b	
6-8		Notices re jury trial setting mld. cert. this date. v	
6-9		WHCAP, ret. & filed: deft. Evans transported from Tulsa County Jail to USDC and returned to jail on 6-3-76. g	2 6-3-76 M 10



DATE		IV. PROCEEDINGS (continued)		PAGE TWO		V. EXCLUDABLE DELAY					
(DOCUMENT NO.)						Interval Section II (a)	Start Date End Date (b)	Ltr. Code (c)	Total Days (d)	For Identifying Periods of Exclud- able Delay Per 18 U.S.C. 3161(h)	
6-18	MO: Case set for change of plea on 6-22-76, 2:00 P.M. (AEB-J)b nts mld									A. Examination or hearing for mental or physical incapacity (18 U.S.C. 4244).	
6-22	Petition for writ of HC ad Prosequendum, filed. g										
6-22	Order granting WHCAP, filed (AEB-J)g w/issued										
6-22	Case called for hearing change of plea. Deft. present & re-presented. Govt. represented by K. Snoke for B. Baker. Deft. placed under oath. Deft. w/draws plea of N/G as to Cts. 1 & 2 & enters plea of GUILTY as to Cts. 1 & 2 & is adjudged GUILTY as charged to Cts. 1 & 2. Deft. waives jury; waiver signed & filed in open court. Indict. read. Govt presents order for Dismissal of Cts. 3 thru 9; Order signed & filed in open court. Deft. co. requests that sentencing be delayed in this matter until pending state cases have been disposed of. Ct. allows. Sentencing set for 7-20-76, at 10:00 a.m. Deft. remanded to USM. (AEB-J)b									B. NARA Examination (28 U.S.C. 2902).	
6-22	Order for Dismissal of Cts. 3 thru 9, filed.(AEB-J)b									C. State or Federal trials on other charges.	
7-8	W/Arrest returned and filed unexecuted. g									D. Interlocutory Appeals.	
7-8	WHCAP, ret. & filed: deft. delivered to USDC and returned to State custody on 6-22-76. g									E. Hearings on pretrial motions.	
7-19	Case called for sentencing. Deft. present & re-presented. Govt. represented by K. Snoke for B. Baker. Deft. & co. asked if they have anything to say before sentence is pronounced: JUDGMENT & SENTENCE - Bobby Joe Evans Ct. 1 - Atty. Gen. - Five (5) years, to run concurrently with state sent. deft. is now serving in Mc-Alester. Ct. 2 - Atty. Gen. Five (5) years & further order that deft. may become eligible for parole at such time as Parole Commission may determine as provided in 18, USC, 4205(b)(2). Sent. imposed in Ct. 2 to run consecutively w/sent imposed in Ct. 1. Further Ct. recommends commitment to Med. Ctr, Springfield, Mo. for treat. of alcoholism. Further Ct. orders 90 day progress report . Deft. remanded to USM. (AEB-J)b									F. Transfers from other districts (per F.R.Cr.P. Rules 20, 21 & 40).	
7-19	Judgment & Commitment, filed & entered.(AEB-J)b									G. Defendant Motion is actually under advisement. Period of up to 30 days is excludable per 3161(h)(1)(G).	
7-19	Two c/c of J & C to USM. b									H. Miscellaneous Proceedings: Probation or Parole revocation, Deportation, Extradition.	
8-16	J & C returned and filed. Deft. Evans del. on 7-20-76 to Tulsa Cty. Jail and del. on 8-13-76 to Fed. Med. Center at Springfield, Mo.jj									I. Prosecution deferred by mutual agreement.	
10-22-76	Order, filed, overruling motion (letter) for modification of sentence. (AEB-J)g cp mld.									M. Unavailability of defendant or essential witness.	
10-18-77	Deft. mot & order granting leave to proceed in forma pauperis. (AEB-J) ho									N. Period of mental or physical incompetence of defendant to stand trial.	
10-18-77	Deft. mot. to vacate, set aside, or correct sentence. fld. ho									O. Period of NARA Commitment or Treatment.	
10-19-77	MO: Case transferred to Mag. Robt. S. Rizley for recommendations to the Ct. (AEB-J) ho									P. Superseding indictment and/or new charges.	
10-21	Order to show cause, fld. It is ordered that the Respondent is required to show cause w/in 5 days of the date hereon, supported by a brief of legal									R. Defendant awaiting trial of Co-defendant when no severance has been granted.	
						cont.					
FINE AND RESTITUTION PAYMENTS											
DATE		RECEIPT NUMBER		C.D. NUMBER		DATE		RECEIPT NUMBER		C.D. NUMBER	



## UNITED STATES DISTRICT COURT

CRIMINAL DOCKET

U. S. vs EVANS, BOBBY JOE

76 - CR - 65 - 1

Yr. | Docket No. | Def.

DATE 1977	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
	(Document No.)	(a)	(b)	(c)	(d)
	authorities and necessary transcript, why the mot. should not be sustained and appropriate relief granted. It is further ordered that the Clk. shall furnish the Respondent a copy of this Order by mailing the same to the U.S. Atty. for Northern Dist. of OK, and Clk. shall also mail a cpy. of theis order to the Movant Bobby Joe Evans. (AEB-J) cps mld. ho				
10-27-77	Respondent mot. for ext. of time to reply to order to show cause. fld. ho 0 to J.				
10-28-77	Order, filed, granting respondent until 11-2-77 to respond to Court's Order to Show Cause dated 10-21-77. (AEB-J)k cps mld				
10-31-77	Respondent response to petitioners mot. under 28 USC 2255. fld. ho cpy to Dene.				
11-10-77	Petitioner traverse to respondents response. fld. ho cpy. to U.S. Atty. & Dene.				
3-1-78	Order, filed & entered, that petitioner's motion pursuant to 28 USC §2255 is sustained in that his conviction and sentence on Count Two of the indictment is set aside and held for naught, & petitioner to suffer no detriment therefrom. The conviction & sentence to five years under Count One remains as originally imposed. Further, Bobby Joe Evans shall become eligible for parole at such time as the Parole Commission may determine as provided in 18 USC § 4205(b)(2), and the Court recommends that the sentence be served concurrently with his Oklahoma State sentence. Movant should seek the relief of a concurrent sentence from the U. S. Attorney General. (AEB-J)k cps mld & to Warden of USP, Leavenworth, KS				



UNITED STATES DISTRICT COURT  
CRIMINAL DOCKET

DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
	(Document No.)	(a)	(b)	(c)	(d)

AO-257

Interval  
(per Section II)

Start Date  
End Date

Ltr. Total  
Code Days